

**CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT)**

***Project Review Committee  
Wednesday, March 10, 2004  
Stephen P. Clark Center  
111 NW 1<sup>st</sup> Street  
29<sup>th</sup> Floor Conference Room  
3:00 PM***

***Summary of Minutes***

**CITT MEMBERS:**

LtCol Antonio Colmenares, Chairman  
Marc Buoniconti  
Hon. James Reeder

**COUNTY ATTORNEY:**

Bruce Libhaber

**OTHER PRESENT:**

Hilda Fernandez, OCITT Executive Director  
Svetlana Moorey, PWD  
Lilia Medina, City of Miami  
Joe Lepp, Citizen  
Judy Evans, MBTMA/Electro  
Amelia Johnson, City of Miami Beach  
Fred Beckmann, City of Miami Beach  
Virginia Diaz, OCITT

Patty David, OCITT  
David Tinder, PWD  
Keven Klopp, North Miami Beach  
Joanna Santiago, OCITT  
Patrice Rosemond, OCITT  
Betty Alexander, DBD  
Jack Furney, OCITT  
Lawrence Percival, KFHA

**ROLL CALL**

LtCol Antonio Colmenares welcomed everyone and called the meeting to order at 3:20 p.m. He asked that the presentations be taken out of order, due to a lack of a quorum.

**MUNICIPAL PRESENTATIONS**

***CITY OF MIAMI BEACH***

Mr. Fred Beckman, Director Public Works, City of Miami Beach, thanked the members for inviting the City of Miami Beach to make a presentation on its Transportation Program. He stated that one of the biggest problems Miami Beach faces is traffic congestion. Mr. Beckman provided the members with an overview of the program and provided a draft copy of the City's Five-Year Transportation Improvement Program – PTP. He explained the following transit projects and how much each project will be funded by PTP surtax proceeds:

- Electrowave Shuttle Service Operating Support
- Evaluation of Rapid Transit Options (Baylink)

- Washington Avenue Corridor
- East/West Connector Bike Trail-North Beach
- Dade Blvd, Bicycle/Pedestrian Trail
- Ongoing Roadway and ROW Construction and Maintenance Projects
- 16<sup>th</sup> Street Operational & Safety Improvements
- Beachwalk Bike-Pedestrian Trail Phase II
- Venetian Causeway Bike-Pedestrian Trail
- 47<sup>th</sup> Street Safety/Traffic Calming Improvements
- Collins/Harding Corridor Project
- Middle Beach Bike-Pedestrian Trail Phase I
- Middle Beach Bike-Pedestrian Trail Phase II

In addition, Mr. Beckman summarized the total PTP Allocation by fiscal year 2002-07 and the total Project cost by FY 2002-07 for Transit and Transportation projects.

LtCol Colmenares thanked Mr. Beckmann for his presentation and stated that he would like to conduct a site visit to those projects in the future.

### **NORTH MIAMI BEACH**

Mr. Keven Klopp, Deputy City Manager, City of North Miami Beach (NMB) provided a Power Point presentation outlining the City's Transportation Plan (a copy of the NMB Five-Year Municipal Transportation Improvement Program – TIP was distributed). He stated that NMB is a residential community with 11 residential single-family neighborhoods. The City's slogan is "Clean, Comfortable and Convenient," As a result of the transit surtax, the NMB-Line Circulator has doubled from one to two vans with an average of 70 rides per day. Recently, the City has built a \$1.2 million bike path along the City Center, which is centered within the 11 neighborhoods. He further stated that there are 200 bus stops and eight bus shelters that have been upgraded and will continue to be upgraded with the use of the surtax funds. He stated that NMB would receive approximately \$1.2 million per year. The City has borrowed against two-thirds of the revenues it will receive in future years (05 and beyond). He further illustrated how the City is spending \$1.8 million in PTP Funds:

- |                       |     |
|-----------------------|-----|
| • NMB-Line            | 10% |
| • Passenger Amenities | 10% |
| • Street Construction | 34% |
| • Handford Boulevard  | 44% |
| • Administration      | 2%  |

### **REPORTS**

*CITY OF MIAMI JOINT PARTICIPATION AGREEMENT (JPA) – GRAND AVENUE (PWD)*

Ms. Hilda Fernandez, OCITT Executive Director, reported that the Grand Avenue project is listed as one of the PTP approved public works projects on Exhibit 1 of the PTP Ordinance, and is included in the PWD's Two-Year Plan, which was approved by the full Trust last December 2003. The project consists of roadway reconstruction from 4 to 2 lanes, with various other amenities added such as lighting, landscaping, gutters, benches, banner brackets, trash receptacles, brick sidewalks, and tree grates. The total cost of the project is \$2,850,000; \$2 million in PTP funds. The County will provide \$500,000 in Road Impact fees, and \$350,000 in Secondary Gas Tax funds. The City of Miami is also contributing \$850,000. The JPA will be considered at the Board of County Commissioners (BCC) Transportation Committee on March 11, 2004. It is anticipated that the item will be heard by the full BCC March 16, 2004. The item will also be presented to the CITT Compliance & Oversight Committee on March 22, 2004. Ms. Fernandez also stated that a copy of the questions and responses to the PWD were distributed.

Mr. Buoniconti asked to review a rendering of the project and expressed his concern over reducing four lanes into two. Ms. Fernandez stated that one of the questions asked of the PWD related to bus pull-out bays. The PWD responded that there had been an analysis conducted for bus pull-out bays and a need was not currently identified. The department also indicated that if it presented a problem in the future, it would consider converting off-street parking into a bus pull-out bay to alleviate the traffic flow issue.

LtCol Colmenares commented that in June 2003, he visited each PTP project and the Grand Avenue Project was one he had recommended to be reconsidered.

Ms. Lila Medina, Assistant Director for the City of Miami's Transportation Department, explained that the Grand Avenue project has had extensive community participation and the overall consensus of the community has been to make a more friendly pedestrian environment in that area.

There was a lot of discussion among the members regarding the item. LtCol Colmenares suggested that the item be deferred to the Executive Planning Committee, scheduled for March 22, 2004 since the PRC lacked a quorum and a need for more information.

## **ACTION ITEMS**

LtCol Colmenares announced that the action items were being deferred to the Executive Planning Committee scheduled for March 22, 2004.

## **NEW BUSINESS**

### ***FINANCIAL CONSULTANT RFP – DELAY***

Mr. Buoniconti discussed Commissioner Moss' decision to remove the "Financial Consultant RFP" item from the BCC's Transportation Committee agenda, which will cause a two (2) to three (3) month delay for the CITT to hire an independent financial

consultant. He stated that he would like to speak to Commissioner Moss to discuss his decision to remove the item. Ms. Fernandez informed the committee that the only information she received was that there was a desire by a Commissioner to review whether there were other opportunities for participation under the original RFP. The set a-side percentage was not determined by the CITT, rather by the County's and the Department of Business Development's (DBD) established processes. The DBD's recommendation was a Women's Business Enterprise set-aside. The next step is to wait to see if Commissioner Moss will place the item on the agenda at the April 22' BCC's Transportation Committee meeting. The other option is to ask the BCC Chairwoman to waive the committee process and the request would then go directly to the BCC's meeting on April 27. However, that option is unlikely to occur. The earliest the CITT could have a contract in place would be approximately by August 1, 2004, assuming that Commissioner Moss puts the request back on the agenda.

LtCol Colmenares stated that the consequence of not being able to obtain an independent financial consultant is that the CITT cannot perform its duties and responsibilities to monitor and oversee the PTP surtax proceeds to ensure that they are being spent appropriately. He believes there are underlining issues between the CITT and the BCC regarding the powers granted to the CITT, which appears to have been taken as a threat by some Commissioners. His suggestion is to discuss the issue at the next CITT meeting of March 31, 2004.

#### *PROPOSED ORDINANCE AMENDMENT TO PTP/CITT*

Mr. Buoniconti stated that Commissioner Dennis Moss has proposed an amendment to the Ordinance and County Code regarding the CITT 's approval process for PTP amendments and for PTP-funded contracts. The proposal would change the PTP amendment process so that the BCC approves a PTP amendment first, and then forwards it to the CITT. In addition, the Commissioner is also proposing a 30-day time limit for the CITT to take action on contracts approved by the BCC. If the CITT does not take action within the 30 days, the Commission action becomes final. Mr. Buoniconti stressed the importance for the residents to be made aware of the proposal and the intention of the BCC. The CITT was created to oversee and monitor the use of the PTP surtax funds. LtCol Colmenares noted that the Ordinance was created and approved by the Commissioners and that the Ordinance was presented to the public during the PTP campaign; therefore, if the Commission is amending the Ordinance, it should take it back to the voters for approval. Mr. Reeder added that one of the reasons the residents of Miami-Dade County voted for the transit surtax was because it was going to create a board to oversee and monitor the surtax proceeds. Mr. Buoniconti suggested that each CITT member contact their respective Commissioner regarding the proposal.

Ms. Fernandez clarified that the ballot language that was approved by the voters only makes reference to the creation of the CITT who would oversee the surtax proceeds. The Ordinance No. 02-117 established the structure, powers and duties of the CITT, which is why the Commission can amend the powers and duties simply by amending the Ordinance. However, the Commission cannot eliminate the existence of the CITT.

Ms. Fernandez further explained that there are two Ordinances. Ordinance No. 02-116 refers to the surtax proceeds for the PTP and the municipal component, as well as the role of the CITT. The second Ordinance No. 02-117 refers to the creation of the CITT and delineates the powers and responsibilities. The amendment proposed by the Commissioner is for Ordinance No.02-116. She also mentioned her concerns to the 30-day time limit being proposed for the CITT to review and approve contracts. One reason is that there is no requirement in the Ordinance that specifies that a contract requiring CITT approval be approved in a specified time. Therefore, if a department held a contract and forwarded to the CITT after 31 days, the item would move forward without CITT action. The other concern is not providing OCITT staff sufficient time to provide the CITT with a comprehensive analysis to help the members make an educated and informed decision. To date, the CITT has reviewed and approved 11 contracts and 6 of those contracts have been approved within 6 days after BCC approval. The average approving period for contract approval process is 29 days. OCITT staff is conducting an analysis of all the contracts that have been reviewed by the CITT since its inception to determine how long an item was reviewed before any CITT action was taken. LtCol Colmenares suggested that the item be discussed at the Executive Planning Committee meeting, March 22, 2004, and that a formal response should be made for the record.

### **CITIZEN'S COMMENTS**

Lawrence Percival, citizen, suggested that there are people and organizations that could lend their support to the CITT. The CITT represents the public, if the BCC is attempting to disenfranchise its powers, then the public should be informed. He suggested emailing the minutes of CITT meetings to various community organizations: such as the community councils; the KFHA, and Chambers of Commerce. He said he believes the BCC gets a copy of the minutes, so they are aware of what is being discussed. Hopefully, they would do the right thing by paying attention to the wishes of citizens they represent.

One of the action items on the agenda had to do with the issue of the Department of Public Works' PTP amendment process. An issue that Mr. Percival has mentioned before, is an amendment to SW 127th Avenue Project. Southwest 136th Street to 128th Street is being built by Lennar Homes, without cost to the County, but only the western two lanes. The eastern two lanes of SW 127th avenue are not going to be built by developers, and PWD has no money allocated to build them. Once SW 127th Avenue reaches SW 128th street a problem arises. The MPO/TIP has not make any monetary provision for the continuation of SW 127th Avenue from SW 128th Street to SW 124th Street (through the Nixon/Smiley Pineland Preserve), although PWD has acquired the necessary right-of-way. He suggests that the CITT ask PTP/Public Works to fund and build the, now entire non-funded, portions of the SW 127th Avenue extension Project, so that it aligns with the roadway design of the SW 127th Avenue Project funded for FY 04-05 and 05-06, from SW 88th Street to SW 120th Street, specifically to include the bicycle path. There is no funding or planning at this point in the MPO's TIP for SW 124th Street to SW 120th Street on the eastern side either, and impact fees has been paid by the two separate developers (Master Developers and Century Homes). There

could be a delay of five years or longer for this corridor completion. He encouraged the members to review the issue and that area and to please make it a priority for the West Kendall community. There needs to be coordination for that entire corridor build-out. PWD has to do it eventually, so please plan and fund it now to coincide with the already funded Project sections.

Mr. Percival thanked LtCol Colmenares for previously spending the time to visit those sites. Lastly, he mentioned that at the last CITT meeting he made some comments that were not accurately reflected in the minutes. He also suggested that, since citizens take the time to attend these meetings to make comments, their comments should be accurately reflected in the minutes, not reduced to a brief summary. Ms. Fernandez responded that it is her intention for staff to keep an accurate recording of statements and documents presented at the meetings, as required by law.

Mr. Percival added that the General Obligation Bond Program passage could be at stake. If the BCC thinks that the public will trust them again after the PTP Ordinance is amended in anyway contrary to the citizen's vote for the specific intention of an Independent Trust's creation. He feels that any BCC action to hinder the independent responsibilities of the CITT through any new resolutions, should require specific voter approval, or the public could perceive a deception of intent.

#### **ADJOURNMENT**

The meeting adjourned at 5:40 p.m.

**\*\*\*\*MINUTES ARE IN SUMMARY FORM\*\*\*\***  
*FOR VERBATIM TRANSCRIPTION OF THIS MEETING PLEASE REQUEST COPIES  
OF THE TAPE FROM THE CITT OFFICE AT 375-3481*